

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DATE 2/6/2020

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Shawn McRoberts
COURTROOM DEPUTY: Keary Conrad

UNITED STATES OF AMERICA	
V.	CAUSE NUMBER 4:18CR103
RICHARD DENVER BELDEN	
ATTORNEY FOR GOVERNMENT	ATTORNEY FOR DEFENDANT
Marisa Miller	Brian O'Shea

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Sentencing
3:50 p.m.	Court in session. Court notes appearances.
3:51 p.m.	This is a continuation because Government had filed their motion for upward departure
3:52 p.m.	Parties have reviewed PSR. Defendant acknowledges he fully understands the PSR. No additions, corrections, or comments by the Government. No additions, corrections, or comments by counsel for the Defendant. No objections by the Government. No objections by the Defendant.
3:52 p.m.	Court notes Defendant entered a guilty plea to Counts 1, 2, and 3 of the Indictment without a plea agreement.
3:54 p.m.	TOL: 37, CHC I, Count 1: 210-262 months imprisonment. Court hears argument from AUSA Marisa Miller regarding appropriate sentence. AUSA Marisa Miller calls Detective Jeffery Rich, City of Plano Police Department. Witness placed under oath.
4:14 p.m.	Pass the witness. No questions by Defendant's counsel, Brian O'Shea.
4:15 p.m.	Court hears argument from AUSA Marisa Miller regarding appropriate sentence and her Motion for Upward Variance/Departure.
4:23 p.m.	Court hears response from Defendant's counsel, Brian O'Shea.
4:23 p.m.	Defendant's counsel, Brian O'Shea calls Lonnie Turner (father in law) to make a statement on behalf of Richard Belden. Defendant's counsel, Brian O'Shea calls Linda Turner (mother in law) to make a statement on behalf of Richard Belden.
4:27 p.m.	Court hears from Defendant's counsel, Brian O'Shea regarding sentencing memorandum.
4:35 p.m.	Defendant allocuted.
4:42 p.m.	AUSA Marisa Miller notes the agreed upon resolution of restitution amounts as follows: CinderBlock Blue (aka Jane) \$1,000; Lighthouse1 (aka Maureen) - \$1,000; and Sweet Sugar (aka Pia) \$1,000.
4:43 p.m.	Court recess for 5 minutes.
4:50 p.m.	Sentence imposed is the Defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a total term of 420 months. The term consists of 240 months

	<p>on Count 1, 240 months on Count 2 with 180 months to be served consecutively to Count 1 and 240 months on Count 3 to be served concurrently to Count 1 of the Indictment. The Court recommends to the Bureau of Prisons that the defendant receive appropriate sex offender treatment while imprisoned. While incarcerated, it is recommended that the defendant participate in the Inmate Financial Responsibility Program at a rate determined by Bureau of Prisons staff in accordance with the requirements of the Inmate Financial Responsibility Program. It is further ordered that the defendant must make restitution totaling \$3,000 to the victims and in the amounts listed in the "Restitution" section of the Presentence Report, which is due and payable immediately. The Court finds that the defendant does not have the ability to pay interest. The Court will waive the interest requirement in this case. It is ordered that the defendant must pay to the United States a special assessment of \$300, which is due and payable immediately. It is further ordered that the defendant must pay an assessment of \$15,000 pursuant to the Justice for Victims of Trafficking Act of 2015 and 18 USC § 3014. Any monetary penalty that remains unpaid when the defendant's supervision commences is to be paid on a monthly basis at a rate of at least 10% of the defendant's gross income. The percentage of gross income to be paid with respect to any restitution and/or fine is to be changed during supervision, if needed, based on the defendant's changed circumstances, pursuant to 18 U.S.C. § 3664(k) and/or 18 U.S.C. § 3572(d)(3), respectively. If the defendant receives an inheritance, any settlements (including divorce settlement and personal injury settlement), gifts, tax refunds, bonuses, lawsuit awards, and any other receipt of money (to include, but not be limited to, gambling proceeds, lottery winnings, and money found or discovered), the defendant must, within 5 days of receipt, apply 100% of the value of such resources to any financial penalty ordered. Upon release from imprisonment, the defendant will be on supervised release for a term of 20 years. This term consists of terms of 20 years on each of Counts 1, 2, and 3 of the Indictment, all such terms to run concurrently. All mandatory and special conditions were reviewed with the Defendant.</p>
5:03 p.m.	BOP Seagoville, Texas facility if appropriate. Rights of appeal addressed.
5:03 p.m.	Court will sign final order of forfeiture. Defendant's counsel, O'Shea objects to the sentence.
5:04 p.m.	Defendant remanded to custody of USM.

DAVID O'TOOLE, CLERK

BY: Kearny Conrad
Courtroom Deputy Clerk